

Remarks

The Examiner's reconsideration of the application is urged in view of the amendments above, attachment hereto, and comments which follow.

First, concerning the rejection of claims 40-44 and 46-54 under 35 U.S.C. §112, appropriate amendments have been made to the claims to eliminate alternative language, and claim 45 has been amended to provide a proper antecedent basis for claim 46.

An appropriate Abstract is appended hereto.

The Examiner has rejected claim 55 under 35 U.S.C. §102 as being anticipated by either Nelson U.S. Patent No. 4,494,652 or Lau U.S. Patent No. 6,328,385. Reconsideration is urged in view of the substitution of new claim 56 for former claim 55, and comments which follow.

Claim 56 is not anticipated by U.S. Patent No. 4,494,652 (Nelson et al.) because Nelson et al. does not show either a cage or an item of cage furniture for containing a rodent, as required by claim 55.

Moreover, there is no suggestion in Nelson et al. that if a rodent were to be contained in a container such as that taught by Nelson et al. the container would be transparent or translucent to a human observer outside the container, but substantially darkened or opaque to a rodent inside the container.

Claim 56 is not anticipated by U.S. Patent No. 6,328,385 (Lau) for the same reasons as given above in relation to Nelson et al.

The Examiner's assertion that in a darkened environment the chair taught by Lau would appear dark or opaque to a rodent is irrelevant to the novelty of claim 56; in a darkened environment the chair taught by Lau would also appear dark or opaque to a human observer.

A novel inventive feature of claim 56 lies in the fact that the cage or item of cage furniture is transparent or translucent to a human observer outside the cage or item of cage furniture, but is substantially darkened or opaque to a rodent contained in the cage or item of

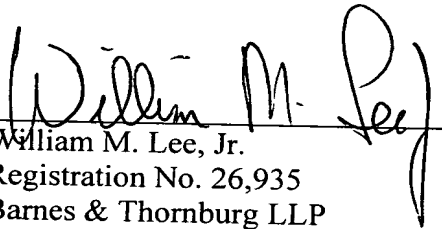
cage furniture. This provides a cage or item of cage furniture in which the rodent can be observed while the rodent is unaware that it is being observed. The observed behavior of the rodent is therefore not affected by the presence of a human observer.

Also, since this response is being filed during the sixth month following the Examiner's Office Action, an appropriate Petition for Extension of Time is submitted herewith.

Given the above and the attachment hereto, it is submitted that the application is now entirely in condition for allowance, and the Examiner's further and favorable reconsideration is urged.

July 12, 2005

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William M. Lee, Jr.", is written over a horizontal line.

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